



C.M.S.A.(MD).Nos.23 and 24 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 23.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

C.M.S.A(MD)Nos.23 and 24 of 2019

C.M.S.A(MD) No.23 of 2019:

T.Karthikeyan

... Appellant/Appellant/
Petitioner

-vs-

Suguna @ Suganya

... Respondent/Respondent/
Respondent

PRAYER: Civil Miscellaneous Second Appeal filed under Section 100 of C.P.C, against the judgment and decree dated 10.10.2018 in H.M.C.M.A.No. 4 of 2017, on the file of the VI Additional District Court, Madurai, confirming the judgment and decree passed in H.M.O.P.No.110 of 2011, on the file of the III Additional Sub Court, Madurai, dated 01.02.2017.

For Appellant : Mr.K.Sekar

For Respondent : Mr.R.Suriyanarayanan

C.M.S.A(MD) No.24 of 2019:

T.Karthikeyan

... Appellant/Appellant/
Respondent

-vs-



C.M.S.A.(MD).Nos.23 and 24 of 2019

Suguna @ Suganya

... Respondent/Respondent/
Petitioner

PRAYER: Civil Miscellaneous Second Appeal filed under Section 100 of C.P.C, against the judgment and decree dated 10.10.2018 in H.M.C.M.A.No. 5 of 2017, on the file of the VI Additional District Court, Madurai, confirming the judgment and decree passed in H.M.O.P.No.33 of 2012, on the file of the III Additional Sub Court, Madurai, dated 01.02.2017.

For Appellant : Mr.K.Sekar
For Respondent : Mr.R.Suriyanarayanan

COMMON J U D G M E N T

The wife had filed H.M.O.P.No.33 of 2012, on the file of III Additional Sub Court, Madurai, for the relief of restitution of conjugal rights. The husband has filed H.M.O.P.No.110 of 2011, before the same Court for the relief of divorce.

2. The petition filed by the wife was allowed and the petition filed by the husband was dismissed by the trial Court. Challenging the same, the husband has filed H.M.C.M.A.Nos.4 and 5 of 2017, before the VI Additional District Court, Madurai. The learned District Judge was pleased to dismiss both the appeals. Challenging the concurrent orders, the husband has filed C.M.S.A.(MD)Nos. 23 and 24 of 2019.



C.M.S.A.(MD).Nos.23 and 24 of 2019

WEB COPY

3. Pending second appeals, the parties have arrived at a compromise and a Compromise Memo dated 23.07.2024 has been filed to the said effect.

The terms of Compromise are as follows:

“(a) Both parties agree to dissolve the marriage held between them on 27.11.2006 by decree of divorce.

(b) The respondent agree to receive a sum of Rs. 11,50,000/- (Rupees Eleven Lakhs and Fifty Thousand only) as full quit towards maintenance.

(c) After recording the compromise before the Hon'ble High Court both parties will move the Hon'ble V Additional District Court, Madurai to dispose the appeal in Crl.Appeal No.55 of 2021 by filing separate compromise petition and on the date of filing compromise petition the appellant will hand over the demand draft for a sum of Rs.11,50,000/- to the respondent.

(d) The respondent agree that there will not be any demand future claim or property from the appellant after receiving the amount of Rs.11,50,000/- from the appellant.

(e) There is no coercion or undue influence exercised by both parties to arrive this compromise.”



C.M.S.A.(MD).Nos.23 and 24 of 2019

WEB COPY

4. Considering the fact that the parties have entered into a compromise for a manual dissolution of marriage, the compromise is recorded and a Compromise Decree shall be drafted in terms of the said compromise Memo. The Compromise Memo shall form part of the decree.

5. Accordingly, both the Civil Miscellaneous Second Appeals stand disposed of, in terms of the Compromise Memo, dated 23.07.2024. There shall be no order as to costs.

23.07.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
ebsi



C.M.S.A.(MD).Nos.23 and 24 of 2019

WEB COPY To

1. The VI Additional District Court,
Madurai.
2. The III Additional Sub Court,
Madurai.
3. The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



C.M.S.A.(MD).Nos.23 and 24 of 2019

R.VIJAYAKUMAR,J.

ebsi

C.M.S.A(MD)Nos.23 and 24 of 2019

23.07.2024